

**ASSEMBLY AMENDMENT 27,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133**

June 29, 1999 – Offered by Representative KRUG.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 789, line 8: delete “public school facilities in” and substitute “facilities  
3 used by public schools in, or by charter schools that are instrumentalities of,”.

4 **2.** Page 793, line 22: after that line insert:

5 “(h) *Minority contracting goals.* 1. In this paragraph:

6 a. “Minority business” has the meaning given in s. 560.036 (1) (e).

7 b. “Minority group member” has the meaning given in s. 560.036 (1) (f).

8 c. “Women’s business” means a sole proprietorship, partnership, joint venture  
9 or corporation that is at least 51% owned, controlled and actively managed by  
10 women.

11 2. The board of school directors of the school district operating under ch. 119  
12 shall ensure that, for construction work and professional services contracts that

1 relate to capital improvements under sub. (5) (a) 4. d., a person who is awarded such  
2 a contract by the board shall agree, as a condition to receiving the contract, that his  
3 or her goal shall be to ensure that at least 25% of the employees hired because of the  
4 contract will be minority group members and at least 5% of the employees hired  
5 because of the contract will be women.

6 3. It shall be a goal of the board of school directors of the school district  
7 operating under ch. 119 to ensure that at least 25% of the aggregate dollar value of  
8 contracts that relate to capital improvements under sub. (5) (a) 4. d. shall be awarded  
9 to minority businesses and at least 5% of the aggregate dollar value of contracts  
10 awarded by the board shall be awarded to women's businesses.

11 4. a. The board of school directors of the school district operating under ch. 119  
12 shall ensure that, for construction work and professional services contracts, a person  
13 who is awarded such a contract by the board shall agree, as a condition to receiving  
14 the contract, that if he or she is unable to meet the goal under subd. 2. he or she shall  
15 make a good faith effort to contract with the technical college district board of the  
16 technical college district in which the facilities are to be constructed or the  
17 professional services contract is to be performed, to develop appropriate training  
18 programs designed to increase the pool of minority group members and women who  
19 are qualified to perform the construction work or professional services.

20 b. If the board of school directors of the school district operating under ch. 119  
21 is unable to meet the goals under subd. 3., the board shall make a good faith effort  
22 to contract with the technical college district board of the technical college district  
23 in which the contracts described under subd. 3. are to be performed, to develop  
24 appropriate training programs designed to increase the pool of minority group

1 members and women who are qualified to perform the contracts described under  
2 subd. 3.

3 5. a. The board of school directors of the school district operating under ch. 119  
4 shall hire an independent person to monitor the board's compliance with minority  
5 contracting goals under subds. 2. and 3. The person hired shall have previous  
6 experience working with minority group members. The board shall develop a  
7 mechanism to receive regular reports from the person hired with respect to the  
8 results of the person's studies of compliance with minority contracting goals.

9 b. If the board or a contractor is unable to meet the goals under subd. 2. or 3.,  
10 the person hired under this subd. 5. a. shall assess whether the board or contractor  
11 made a good faith effort to reach the goals. In determining whether a good faith effort  
12 was made to meet the goals, the person hired shall consider all of the factors listed  
13 in subd. 6.

14 6. a. The supply of eligible minority businesses and women's businesses that  
15 have the financial capacity, technical capacity and previous experience in the areas  
16 in which contracts were awarded.

17 b. The competing demands for the services provided by eligible minority  
18 businesses and women's businesses, as described in this subd. 6. a., in areas in which  
19 contracts were awarded.

20 c. The extent to which the board or contractors advertised for and aggressively  
21 solicited bids from eligible minority businesses and women's businesses, as described  
22 in this subd. 6. a., and the extent to which eligible minority businesses and women's  
23 businesses submitted bids.”.

24 **3.** Page 1117, line 12: after that line insert:

